

**Exhibit B**  
**Defendant Lindsey's Response to**  
**Plaintiff's Requests for Admission**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

PRISON LEGAL NEWS,  
Plaintiff,

VS.

GARY LINDSEY, et al.  
Defendants.

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CIVIL ACTION NO.  
3:07-CV-0367-P

DEFENDANT LINDSEY'S RESPONSE TO PLAINTIFF'S  
REQUESTS FOR ADMISSION

TO: Prison Legal News, by and through its counsel of record, Scott Medlock,  
Texas Civil Rights Project, 1405 Montopolis Drive, Austin, Texas 78741-  
3438. Via facsimile 512-474-0726 and regular mail.

COMES NOW Defendant Chief Gary Lindsey ("Chief Lindsey"), pursuant to  
Fed.R.Civ.P. 36, and submits his response to Plaintiff's Requests for Admission.

REQUEST FOR ADMISSION NO. 1:

The March 17, 2006 policy was, during the time it was enforced, the official  
policy of Dallas County.

**Response:** Admitted.

REQUEST FOR ADMISSION NO. 2:

During the time that the March 17, 2006 policy was enforced, the Dallas County  
Jail staff acted on behalf of Dallas County in enforcing the policy.

**Response:** Admitted.

REQUEST FOR ADMISSION NO. 3:

On or about March 17, 2006, an e-mail was sent by Chief McMillan advising

Dallas County Jail staff to enforce a new policy prohibiting inmates from receiving periodicals.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 4:**

On or about March 17, 2006, Dallas County employees began enforcing the March 17, 2006 policy.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 5:**

Defendant Gary Lindsey enforced the March 17, 2006 policy for at least eight months.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 7(sic):**

The Dallas County Sheriffs' legal advisor reviews policies for constitutional violations.

**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

**REQUEST FOR ADMISSION NO. 8:**

At the Dallas County Jail, it is official policy that if a publication is returned to the publisher, the inmate to whom the publication was originally sent does not receive notice the publication was rejected.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 9:**

The section entitled "Inmates are not allowed to receive the following items

through the mail" found in the May 2005 version of the Inmate Handbook is identical to the "Inmates are not allowed to receive the following items through the mail" section found in the current Inmate Handbook.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 10:**

Chief Edgar McMillan drafted the March 17, 2006 policy.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 11:**

The United States Department of Justice has never asked the Dallas County Jail to prohibit inmates from receiving publications.

**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

**REQUEST FOR ADMISSION NO. 12:**

The Dallas County Jail can limit the amount of materials, including publications that individuals can possess.

**Response:** To the extent that the phrase "Dallas County Jail" means the Dallas County Sheriff's Department, this Request is admitted.

**REQUEST FOR ADMISSION NO. 13:**

There are alternative ways to prevent fire hazards that do not involve prohibiting inmates from receiving publications.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 14:**

Prison Legal News is not objectionable on security grounds.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 15:**

Reading publications can help rehabilitate inmates.

**Response:** Chief Lindsey objects to this Request as the admission sought has no relevance at all to any issue in this lawsuit.

**REQUEST FOR ADMISSION NO. 16:**

The general public was not directly notified by any employees at the Dallas Jail of the March 17, 2006 policy.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 17:**

The plaintiff was not directly notified by any employee at the Dallas County Jail of the March 17, 2006 policy.

**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

**REQUEST FOR ADMISSION NO. 18:**

The March 17, 2006 policy resulted in inmates not being allowed to possess Prison Legal News.

**Response:** Admitted.

**REQUEST FOR ADMISSION NO. 19:**

Execution of the March 17, 2006 policy resulted in the Dallas County Jail employees destroying copies of Prison Legal News.

**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

**REQUEST FOR ADMISSION NO. 20:**

Bulk rate mail is destroyed when it is not delivered to inmates.

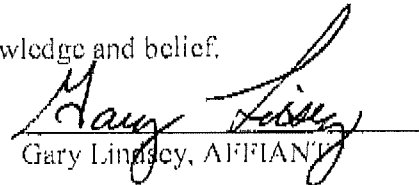
**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

**REQUEST FOR ADMISSION NO. 21:**

Individual copies of Prison Legal News were destroyed by employees of the Dallas County Jail.

**Response:** Chief Lindsey is without information or belief sufficient to admit or deny this Request.

I swear that the information contained in the responses to these requests for admission is true and correct to the best of my knowledge and belief.

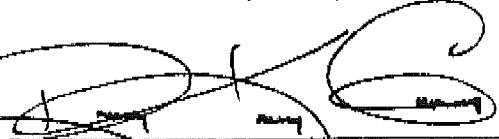
  
Gary Lindsey, AFFIANT

STATE OF TEXAS           §

COUNTY OF DALLAS       §

Subscribed and sworn to before me on this 6<sup>th</sup> day of September, 2007.



  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

Respectfully submitted,

CRAIG WATKINS  
DISTRICT ATTORNEY  
/s/ Dolena T. Westergard  
DOLENA T. WESTERGARD  
ASSISTANT DISTRICT ATTORNEY  
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